

REMARKS

Claims 1-15 are pending in this application. By this Amendment, claims 1-9 are amended to clarify the features recited in the claims, or otherwise to correct informalities. Claims 10-15 are added. The added claims are supported throughout Applicant's disclosure. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks are respectfully requested.

The Office Action, on page 2, rejects claims 1-3 and 5-9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,863,102 to Waguespack et al. (hereinafter "Waguespack"). The Office Action, on page 4, rejects claim 4 under 35 U.S.C. §103(a) as being unpatentable over Waguespack. These rejections are respectfully traversed.

Waguespack teaches a conventional method and apparatus for clamping a toothbrush head to permit attachment of bristles to toothbrushes with resiliently flexible heads. *See, e.g.,* Abstract. Specifically, Waguespack discloses a "novel apparatus and a method to hold securely a deformed resiliently flexible curved or angled toothbrush head or a segmented resiliently flexible head at the tufting apparatus in a configuration such that the bristle-receiving holes lie substantially parallel to the direction of travel of the tuft insertion tool, and at the trimming and end rounding portions of a toothbrush finishing machine so that conventional tufting, trimming and end rounding machines and methods can be used in the manufacture of such brushes." *See* Abstract.

Claim 1 recites, among other features, a retaining part with a retaining flange, and having a supporting surface integrally formed on the retaining flange, the retaining flange being configured to engage a toothbrush head in a space between (1) a plate-like bristle carrier of the toothbrush head, the bristle carrier being produced from a rigid plastic, and (2) a retaining crosspiece of the toothbrush head, the retaining crosspiece being produced from a

rigid plastic and being spaced apart from the bristle carrier to form the space, the retaining part supporting the bristle carrier by way of the supporting surface.

There is no portion of the allegedly corresponding retaining part disclosed in Waguespack that can reasonably be considered to engage a toothbrush head in any space between component portions of the toothbrush head, as recited in claim 1.

For at least this reason, claim 1 is patentable over Waguespack. Further claims 2-9 are also neither taught, nor would they have been rendered obvious, by Waguespack for at least the respective dependence of these claims on a patentable base claim, as well as for the separately patentable subject matter that these claims recite.

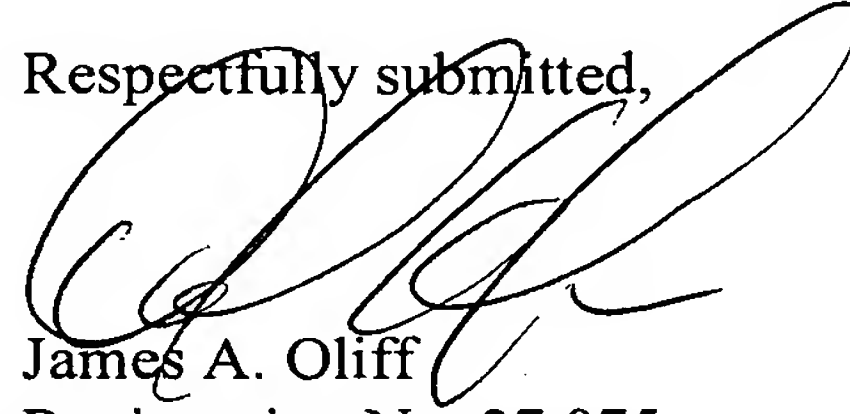
Accordingly, reconsideration and withdrawal of the rejections of claims 1-9 under 35 U.S.C. §§102(b) and 103(a) are respectfully requested.

Claims 10-15 are also patentable for at least the reasons set forth above, because these claims include the features of claim 1, or features similar to those recited in claim 1.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9, and consideration and allowance of claims 10-15, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

JAO:DAT/mms

Date: December 27, 2010

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